

**TOWN OF NORTHFIELD, VERMONT  
SELECT BOARD REGULAR MEETING  
Minutes of June 22, 2021**

- I. ROLL CALL.** Select Board Chair K. David Maxwell (absent), Vice-Chair Julie H. Goodrich, Board members Nathaniel Miller, Charles Morse, and John Stevens. Also present were Town Manager Jeff Schulz, Acting Clerk Kenneth McCann, Mitch Osiecki (Zoning Administrator), Don Rhoades (Friends of Northfield Dog Park), Jennifer Jackson (Friends of Northfield Dog Park), Brittany Benoit (Friends of Northfield Dog Park), and Carolyn Stevens.

Acting Chair Goodrich called the meeting to order at 7:00 p.m. Members of the public had the option of attending the meeting either in person or remotely through Go-to-Meeting.

- II. SET/ADJUST AGENDA.** Kaitlyn Keating from the Northfield Community Development Network (NCDN) was scheduled to address the Select Board members regarding this summer's "Night on the Common" but had to postpone.

**III. PUBLIC PARTICIPATION (SCHEDULED)**

- a. Don Rhoades, Friends of Northfield Dog Park: Dog Park Proposal.** Mr. Rhoades first presented this proposal to the Select Board members at a previous meeting (04/27/21). The Select Board members had asked a number of questions regarding disease control, aggressive dogs, etc. that Mr. Rhoades has researched since then. He has concluded that all dog parks do have inherent problems but overall are successful and more are being established nationwide each year. In fact, ninety-one percent (91%) of residents living in urban areas with existing dog parks support their continuance. Although he could not determine the exact number, Mr. Rhoades believes there are at least a dozen dog parks in Vermont and he hasn't seen any negative stories about them. There are real issues to confront when operating dog parks, especially aggressive dogs, proper sanitation, parking, noise, etc. but he feels these can be addressed with strong rules and regular maintenance.

Mr. Rhoades said he has been assisted recently by new Northfield resident Nigel Hicks-Tibbles who used to manage a public dog park in Colorado. This particular dog park was shut down after Mr. Hicks-Tibbles left but most of its problems could be largely blamed on poor location. The dog park was situated on a sloping field next to a river that became polluted due to storm runoff including uncollected dog feces. Mr. Hicks-Tibbles also reported the site also had parking problems but there had been no real problems with aggressive dogs or excessive noise. His advice is to find a good location and make sure dog park rules are prominently displayed and strictly enforced.

Mr. Rhoades also spoke to Janine Manninen from the Green Mountain Dog Camp (Roxbury, VT), which provides doggy daycare, professional dog training, and professional dog walking. The site also is open as a dog park some weekends so that urban dogs can interact in a rural setting. Ms. Manninen said there are a number of unpredictable factors when dogs meet for the first time. Most aggressive interactions are due to dogs not being properly socialized beforehand and their owners not being able to read dog body language in order to act in time. Some owners also don't pay sufficient attention to their dogs' interactions as they are engaging in conversation, checking their phones, etc. There also are some owners who continue to bring their dogs to the park even after they have been banned for aggressive behavior. Mr. Rhoades said Ms. Manninen has agreed to act as an advisor to Friends of Northfield Dog Park.

In addition, Mr. Rhoades has reached out to Northfield Police Chief John Helfant regarding enforcement of dog park rules regarding unruly dogs, bad human behavior, etc. Chief Helfant said there are state laws governing vicious dogs that might apply. There is a local Animal Control ordinance that has some relevance but might need to be updated to cover issues arising at a public dog park. Mr. Rhoades did have good news regarding municipal liability. His research has indicated that municipalities hosting dog parks are largely exempt from civil liability as lawsuits have focused on the owners of problem dogs. Mr. Rhoades also has been conducting online research to determine if any state permits are required before establishing a public dog park. He doesn't believe an Act 250 would be required. If the proximity to a river of the proposed site (near the Water Street/Union Street intersection) becomes a problem, Mr. Rhoades believes another municipal property could be considered instead.

In general, Mr. Rhoades believes the dog park organizers cannot eliminate potential problems with aggressive dogs, etc. but good rules and proper oversight can mitigate these problems as much as possible. This oversight would include the establishment of a permanent maintenance committee as well as a dog park website where all proposed rules and regulations would be posted for public comment. Mr. Rhoades believes community support is vital for the success of the proposed dog park. Once the rules have been agreed upon, they would be prominently displayed outside the dog park. In addition, there would be a separate area created for smaller and shier dogs to use.

Mr. Rhoades then asked fellow Friends of Northfield Dog Park member Jennifer Jackson to give an overview of potential dog park rules. Ms. Jackson said dog owners would be held responsible for any damage or injuries due to aggressive behavior, etc. In addition, there would be limits on the presence of pre-teenage children as they might cause problems with inappropriate interaction with the dogs. Aggressive dogs and persistent barkers would be removed immediately. Female dogs in heat would be barred as they could trigger aggressive behavior in male dogs. Any sick dog must be left at home. Dogs must wear collars with current license, which will prove they have been vaccinated for rabies, etc. Handlers would be limited to two (2) dogs running free at a time and dogs outside the fenced area must be kept on leashes. All dog waste must be removed immediately and any holes the dogs dig must be filled in. No food or dog toys can be brought into the enclosure as that might cause aggressive behavior. Smoking and alcohol use would be prohibited and non-canine pets cannot be brought to the dog park. These rules will be posted onsite and also with explanations on the website. Mr. Rhoades said many public facilities in Vermont, such as swimming pools, ski areas, etc. come with inherent risks so the best we can do is to set up rules that limit hazards to an acceptable level.

Board member Morse supports the concept of a public dog park in Northfield. He had a couple questions about park fencing and lawn maintenance. Mr. Rhoades said the fences would be chain link and about four feet (4') high. There would be separate areas fenced off for smaller dogs, etc. The municipality would assume responsibility for mowing the site but Friends of Northfield Dog Park would fundraise to cover the costs of park construction and future maintenance. Board member Morse felt such a facility would be a great benefit to Northfield. Board member Stevens agrees and felt the Select Board members should do all they can do to assist such as passing any needed ordinance. He wants this to go forward. Board member Miller also is supportive and he thanked Mr. Rhoades and Ms. Jackson for all their work on this project.

Manager Schulz said the park rules probably will need to be finalized before it can be determined whether the current ordinance(s) need to be revised. Any required public hearing(s) will be well-advertised in advance. Acting Chair Goodrich asked about the timing of the project. Mr. Rhoades hopes Norwich University architectural students would be willing to take on the design of the proposed dog park as a class project. If that happens, the plans should be available next spring with construction planned for the summer of 2022. Board member Morse asked about park use in the winter. Mr. Rhoades has not looked into this. Ms. Jackson felt provided the snow height doesn't make the fencing unusable, there is no reason the park can't remain open in winter months. As for noise problems, the plan is to have the dog park only open from sunrise to sunset. There would be no nighttime lighting at the park. Acting Chair Goodrich thanked the Friends of Northfield Dog Park for the valuable information provided tonight.

#### **IV. DEPARTMENT HEAD REPORT**

- a. **Mitch Osiecki, Zoning Administrator.** Mr. Osiecki wanted to provide a brief overview of his recent activities and answer any questions the Select Board members might have. He said there have been there have been forty-five (45) zoning applications submitted this year and all but three (3) have been approved. This is an increase over the amount submitted by this time last year. Mr. Osiecki also has been issuing Letters of Compliance and working with the Highway Foreman and the E-911 Coordinator regarding driveway permit applications and structure numbering. Five (5) sign permit applications have been submitted so far but he expects more in the near future. Mr. Osiecki also has issued four (4) Notices of Violation. One of the recipients is working with him to resolve the problem but he hasn't had much feedback from the others. Acting Chair Goodrich asked about the nature of these violations. Mr. Osiecki said one was for an unpermitted fence that was built within the highway right-of-way. The other notices were for front yard trash and/or junk cars that encroached on public highways. He noted that Northfield doesn't have a local ordinance that covers excessive trash, etc. on one's own property so only junk cars are prohibited. Mr. Osiecki said there are other properties with junk cars, etc. but since they are mostly are out of view on the backroads so there haven't yet been public complaints. Mr. Osiecki also has reached out to residents who have built unpermitted structures in order to determine if any issues can be resolved retroactively. Some properties are in various stages of development.

As for what the Select Board members can do to assist the Zoning Department, Mr. Osiecki feels it might be time to reassess the zoning fees now being charged. For example, he feels Northfield charges too little for subdivision hearings compared to other Vermont communities. For such hearings, certified letters (\$6.96 each) have to be sent to each abutting property owner and this expense sometimes exceeds the hearing fee charged. Acting Chair Goodrich suggested that Mr. Osiecki should send a draft fee revision recommendation to Manager Schulz and then would be forwarded to the Select Board members.

Board member Morse feels instead of just posting zoning permit applications on a clipboard in the Municipal Building hallway, this information should be provided to Manager Schulz so that he can keep Select Board members aware of any significant developments. Mr. Osiecki said that would not be a problem. He also has spoken to Economic Development Director Jon Ignatowski about the possibility of putting this information on the revised municipal website. Acting Chair Goodrich then thanked Mr. Osiecki for his report tonight.

**V. APPROVAL OF MINUTES**

- a. **June 8, 2021 (Regular Meeting).** Motion by Board member Morse, seconded by Board member Stevens, to approve the minutes. **Motion passed 4-0-0.**

**VI. APPROVAL OF BILLS**

- a. **Approval of Warrant #24-21.** Motion by Board member Morse, seconded by Board member Stevens, to approve Warrant #24-21 in the amount of \$83,072.51. Board member Stevens noted the 2014 Police Cruiser was in the shop again for repairs. He felt there should be a limit on such expenses beyond which the vehicle should be disposed. Acting Chair Goodrich noted a \$250 payment to Barre Ambulance for a paramedic intercept. Manager Schulz said although the Northfield Ambulance Service (NAS) is now paramedic certified, there are times when a NAS paramedic is not available so an outside agency still needs to be contacted. He added that this expense has been reduced significantly since NAS obtained this certification. **Motion passed 4-0-0.**
- b. **Approval of Warrant #01-22A.** Motion by Board member Morse, seconded by Board member Stevens, to approve Warrant #24-21A in the amount of \$44,480.89. This warrant covered an installment of the Washington County tax and a payment on an old water bond note. **Motion passed 4-0-0.**
- c. **Approval of Biweekly Payroll through June 13, 2021.** Motion by Board member Morse, seconded by Board member Stevens, to approve the biweekly payroll in the amount of \$99,021.71. **Motion passed 4-0-0.**

**VII. SELECT BOARD**

- a. **Northfield Observances, Inc. Request to Block Off Common over Labor Day Weekend.** Motion by Board member Morse, seconded by Board member Stevens, to approve Northfield Observances' request to block the Northfield Common from through traffic from 7:00 p.m. on Friday, September 3, 2021, through Monday, September 6, 2021. **Motion passed 4-0-0.**
- b. **Northfield Observances, Inc. Request for Labor Day Parade Parking Ban.** Motion by Board member Morse, seconded by Board member Stevens, to approve a parking ban on Main Street from the Crescent to Kenyon's Hardware Store on Monday, September 6, 2021, starting at 7:30 a.m. and lasting until the parade's end (±12:00 p.m.). **Motion passed 4-0-0.**
- c. **Northfield Observances, Inc. Request for Labor Day Coin Drops.** Motion by Board member Morse, seconded by Board member Stevens, to grant permission for Northfield Observances to hold a coin drop fundraiser Labor Day morning at two (2) locations on Vermont Route 12. Board member Stevens wanted to be sure proper signage is installed for safety purposes. Manager Schulz confirmed that Northfield Observances, inc. works with the Northfield Police Department (NPD) on this. **Motion passed 4-0-0.**
- d. **Bond Anticipation Note (2017 Fire Pumper Truck).** Motion by Board member Morse, seconded by Board member Stevens, to approve and sign the Bond Anticipation Note in the amount of \$166,789 at 1.70% interest; approve and sign the Bond Anticipation Borrowing Resolution; and approve and sign the Bond Anticipation Borrowing Tax Certificate. **Motion passed 4-0-0.**

- e. **Crushed Stone Bids.** At the previous meeting (06/08/21), the Select Board members tabled awarding the crushed stone bid as there had been only one bidder (Pike Industries) and they wanted to see the pit prices of other suppliers to determine if Pike Industries' prices were competitive. Manager Schulz then read off the bid from Pike Industries, which breaks down into \$20.40 per cubic yard of ¾" plant mix delivered and \$11.17 per cubic yard pit price. The bid amounts for 1¼" plant mix are \$21.00 per cubic yard delivered and \$11.77 per cubic yard pit price. Board member Stevens said the list of pit prices indicated Pike Industries' prices are among the lowest. Motion by Board member Morse, seconded by Board member Stevens, to award the crushed stone bid to Pike Industries for the prices listed above. Both Board member Morse and Board member Miller would like the municipal purchasing policy amended in future to allow more flexibility in awarding bids. **Motion passed 4-0-0.**
- f. **Vermont Agency of Transportation (VTrans) Municipal Roads Grants-in-Aid Program.** Manager Schulz is informing the Select Board members that he intends to apply for this grant, which has a June 25, 2021 submission deadline. These grant funds must be used on "hydrologically connected" roads in order to improve drainage, reduce stormwater runoff into nearby streams, etc. Northfield would receive about \$25,000 from this grant. Manager Schulz said VTrans is distributing such funds in order to help municipalities meet new state stormwater regulations. Northfield has received about \$75,000 over the past five (5) years from this program and these funds were used for projects on Barrows Road, Colson Road, Dole Hill Road, and Terry Hill Road. The new funding would be used for possible projects on Turkey Hill Road, Stony Brook Road, etc. The only disadvantage of such projects is that they take members of the Highway crew away from their regular maintenance work.
- g. **Turkey Hill Maple Farm Lease Agreement (possible executive session).** Manager Schulz said this lease of municipal property to a private business so that maple trees on the site can be tapped has been discussed frequently at recent meetings. Since this matter involves contract negotiation, it will be discussed in executive session later in the meeting.

#### VIII. TOWN MANAGER'S REPORT

- a. **Highway Department To-Do List.** Manager Schulz said a list of upcoming highway projects was distributed in the Select Board packets. One item that was omitted was the upcoming painting of pedestrian crosswalks, which should be completed by the middle of next month.'
- b. **Cox Brook Road Repairs.** Manager Schulz has received a quote of \$8,000 to fix the pavement cracks on Cox Brook Road. This seems a fair price but he will solicit at least one more bid to satisfy the requirements of the purchasing policy.
- c. **Road Grader.** Manager Schulz said the grader had to be repaired again but should be back in service by the end of this week. The repair cost was \$20,000. Highway Foreman Trent Tucker believes the backroads now are in such good shape that he doesn't see the necessity of renting a second grader.
- d. **COVID-19 Local Fiscal Recovery Funds.** As discussed at the last meeting, Northfield will receive at least \$670,000 in federal COVID-19 recovery funds. Manager Schulz has made the formal request for these funds and has been informed that half of these funds will arrive here next month. The remainder will be distributed next spring. The rules governing how these funds can be spent are still being developed by the federal government.

Manager Schulz already has asked municipal department heads for suggestions on how these funds should be spent. There will be public hearings scheduled later this year to receive similar recommendations from Northfield residents. Board member Morse has heard several ideas floating around the community. He felt important for the municipality to inform the public that there are conditions that come with these funds.

- e. **Planning Commission Meeting.** Manager Schulz attended last night's Planning Commission (PC) meeting to get some information on how the PC members will handle the process of updating the local zoning regulations. There is no firm timeline at this point as the PC members plan to apply for grant funds in order to hire a consultant to help with the process (as was done when the Town Plan was updated). Once that person has been hired, there will be a clearer idea of the revision schedule. The expectation is that the work can be completed within one year. One suggestion Manager Schulz made is to draft regulations to strengthen the ability of the municipality to deal with trashed front yards, etc. The PC members do want the suggestions of the Select Board members throughout the process so they will be forwarding for comment completed sections of the document when they become available.
- f. **Northfield Municipal Facilities.** Manager Schulz said that in light of Governor Phil Scott's lifting of COVID-19 restrictions, all municipal facilities have been reopened to the public. Employees and visitors who are fully vaccinated no longer have to wear masks.

#### **IX. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS**

- a. **Intemperate Comments Directed at Highway Employees.** Acting Chair Goodrich felt it was necessary for her to first address the "elephant in the room," by which she meant a recent posting on Front Porch Forum stating Board member Stevens had called a couple of Highway employees offensive names to their faces. Acting Chair Goodrich was very disappointed with this behavior as such disrespect towards municipal employees reflects poorly on all the Select Board members. She asked Board member Stevens if he has apologized for his actions. Board member Stevens said he tried to reach out today but was unsuccessful. Acting Chair Goodrich felt the least thing Board member Stevens could do as recompense is to step down from the Highway Planning and Project Oversight Subcommittee. Board member Morse concurred with Acting Chair Goodrich's statement as he felt the municipal employees are our most valued assets. He now hopes we can move on from this incident and there will be no reoccurrence. Board member Miller agreed with this sentiment.
- b. **Interruption of Water Service Notice.** Board member Morse noted that due to a water main replacement project on Carpenter Street and part of Vine Street, there will be temporary service interruptions on those streets. This notice was both mailed and hand-delivered to the affected residents.
- c. **Slaughterhouse Road Covered Bridge Vandalism.** Board member Morse said someone recently sawed a hole in the side of the bridge so they could jump from it into the river. The Highway Department has repaired the damage and there will be increased vigilance to prevent this happening again. If caught, the vandal(s) would be subject to a \$500 fine. Board member Morse felt this was truly awful behavior that created a dangerous situation for any children and/or pets using the bridge. Manager Schulz cannot get into details but said the NPD is investigating this matter and already has some solid leads.

- d. Recreation Committee Status.** Board member Stevens asked if there has been any progress in creating an interim committee to replace the one that the Select Board members dissolved. Manager Schulz said Board member Morse sent him a number of suggestions and he has contacted some of the regular public park users for an upcoming meeting. Board member Morse would like to see the recommendations that come from this meeting. He also would like to see the Conservation Commission and Northfield Ridge & River Routes committee get involved in order to discuss recreational opportunities in the community beyond organized sports, etc. As a long-term goal, Board member Morse would like to see the formation of a Dog River Valley Recreation Committee comprised of residents of Northfield, Roxbury, and West Berlin that would be able to combine regional recreation resources while accessing additional grant funds for future projects.
- e. South Main Street Sidewalk Project.** Board member Stevens asked when the work would be completed. It seems the workmen are here for a few days but then disappear for a while. Manager Schulz contacted the project contractor and has been assured the entire project will be completed by the end of July. He will keep on them to make sure this commitment is upheld.
- f. Municipal Building Restroom Renovations.** Board member Stevens asked if bids have been sent out for this project. Manager Schulz said he still needs to work with the building employees on how best to proceed on this. There currently are two (2) small bathrooms in the building and in order to meet ADA requirements, it has been suggested that they would have to be combined into one single-user bathroom. The employees aren't pleased with this scenario so Manager Schulz is exploring other possible options.
- g. COVID-19 Vaccinations.** Board member Morse noted that vaccinations will be available at the Tuesday afternoon Farmers Markets on the Common in coming weeks. Manager Schulz noted a very large roadside electric sign advertising this was placed on the Common yesterday without prior notification. Board member Morse agreed this was inappropriate.
- X. PUBLIC PARTICIPATION (UNSCHEDULED).** There was none.
- XI. EXECUTIVE SESSION.** Motion by Board member Morse, seconded by Board member Stevens, to go into executive session, in accordance with 1 VSA 313 (a)(1), in order to discuss contract negotiations as well as legal and personnel matters with Manager Schulz present. **Motion passed 4-0-0.**

The Board went into executive session at 9:00 p.m.

Motion by Board member Morse, seconded by Board member Stevens, to come out of executive session. **Motion passed 4-0-0.**

The Board came out of executive session at 9:45 p.m.

Motion by Board member Morse, seconded by Board member Stevens, to reopen the union contract between the Town of Northfield and the Northfield Police Department in order to renegotiate wages. **Motion passed 3-1-0 with Board member Miller voting in the negative.**

- XII. ADJOURNMENT.** Motion by Board member Morse, seconded by Board member Stevens, to adjourn. **Motion passed 4-0-0.**

The Board adjourned at 9:45 p.m.

Respectfully submitted,

*Kenneth L. McCann*

Kenneth L. McCann, Acting Clerk

An audio recording of this meeting is available in the Town Manager's Office.

These minutes were approved at the regular Select Board regular meeting of July 13, 2021.